

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE:

Hollis Riggins

Debtor

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CASE NO. 24-60009

CHAPTER 13

Response to Motion of Maria Erlinda Primera for Relief from Automatic Stay

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Debtor in the above styled and numbered cause and in response to the Motion of Maria Erlinda Primera for Relief from Automatic Stay respectfully shows as follows:

1. The allegations in paragraphs 1 through 13 of the Motion are admitted.
2. The allegations in paragraph 14 of the Motion are denied.
3. Debtor can neither admit nor deny paragraphs 15 through 22 as they consist of requests for relief and legal arguments.
4. The Divorce Proceeding may continue "except to the extent that such proceeding seeks to determine the division of property that is property of the estate[.]", 11 U.S.C. § 362(b)(2)(A)(iv), without conditioning or relief from the automatic stay.
5. As shown on Debtor's Schedules A,B, and C, he owns assets that are not fully exempt and that, as such, would be subject to administration if he converted his case to Chapter 7. For this reason, the Court should retain its authority over the property of the estate at least until the state court has determined whether final adjudication would involve awarding such assets to Movant.

WHEREFORE, PREMISES CONSIDERED, Debtor respectfully prays that the automatic stay remain in effect with regard to Movant for pur, and for such other relief in law and equity as the Court deems just.

Respectfully submitted,

/s/ Evan Simpson

Evan Simpson

Law Office of Evan Simpson PLLC

1717 Columbus Ave

Waco, TX 76701

(254) 399-9977

(254) 399-9909 fax

Email: Evan@hotxlaw.com

Bar No. 24060612

Attorney for Debtor

CERTIFICATE OF SERVICE

On March 6, 2024, a true and correct copy of the foregoing document was served by mail, electronic notice, or hand delivery on:

Debtor

Hollis Riggins
1300 Placid Circle #5103
Waco, TX 76706

Movant

Maria Erlinda Primera
500 N State Hwy 161 #320Z
Irving, TX 75038

Attorney for Movant

Jeff Carruth
WEYCER, KAPLAN, PULASKI & ZUBER, P.C.
2608 Hibernia, Suite 105
Dallas, Texas 75204-2514

A true and correct copy of the foregoing was served electronically on the following parties in interest:

Chapter 13 Trustee
Ray Hendren
PO Box 27466
Austin, TX 78755-2466

US Trustee
903 San Jacinto, Room 230
Austin, TX 78701

/s/ Evan Simpson
Evan Simpson